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January 24, 2024

**VIA ECF**

Honorable Jessica G. L. Clarke  
United States District Judge  
United States District Court, Southern District of New York  
500 Pearl Street, Room 1040  
New York, NY 10007

Re: *Parker v. Bursor et al.*, Case No. 24-cv-245 (JGLC) (RFT)

Dear Judge Clarke:

I represent the Defendants in the above-referenced action.

Pursuant to Section 2(a) of Your Honor's Individual Rules and Practices in Civil Cases, I write for the purpose of seeking an emergency stay of the Report and Recommendation issued today by Magistrate Judge Tarnofsky (Doc. No. 25), recommending that Your Honor, with one limited exception, deny Defendants' motion for a Temporary Restraining Order and Preliminary Injunction. Defendants seek the stay so that they can either (a) file timely Objections to the Report and Recommendation, or (b) if Your Honor concludes that a stay should not be granted, seek an emergency stay from the Court of Appeals.

Defendants further seek an Order directing the Clerk to redact those portions of pages 3-4 and 9 of Magistrate Tarnofsky's Report and Recommendation which detail the allegations which Defendants expect Plaintiff to make in her Complaint because Magistrate Tarnofsky's Report and Recommendation provides that Defendants' motion is to remain under seal. *Id.* at p. 12.<sup>1</sup>

Plaintiff has informed me that she is available tomorrow afternoon after 2:30 p.m. and I respectfully ask that the Court hear us thereafter at its earliest convenience because Plaintiff has

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<sup>1</sup> This request may be rendered moot because, after seeing the Report and Recommendation, I first wrote to Magistrate Tarnofsky asking that the Clerk make these redactions.

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refused Defendants' offer to extend the time for the filing of her Complaint and instead is insisting that she will file it on Monday, January 29.

Respectfully yours,

/s/ Judd Burstein

Judd Burstein

cc: Angelica Parker Plaintiff *Pro Se* (via email and hand delivery)

At this juncture, this Court has neither adopted nor rejected Magistrate Judge Tarnofsky's Report & Recommendation (ECF No. 25), and thus there is no need for a stay. The Court will determine whether to adopt the Report & Recommendation, after receiving objections, which are due no later than **February 7, 2024**. Plaintiff is hereby ORDERED to file any forthcoming complaint fully under seal. The Court will determine whether to unseal the complaint, in whole or in part, when considering the Report & Recommendation and any objections thereto. In the meantime, the Court will temporarily seal the Report & Recommendation.

The Clerk of Court is directed to terminate ECF Nos. 27 and 31 and to seal ECF No. 25. Access is restricted to attorneys appearing for the parties and court personnel.

SO ORDERED.



JESSICA G. L. CLARKE  
United States District Judge

Dated: January 25, 2024